

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

CHARLES L. TUNGETT and Wife,)
MEGAN E. CALDWELL,)
)
)
Plaintiffs,)
)
)
v.) No. 3:05-CV-289
)
)
ALFRED V. PAPIERSKI,)
)
)
Defendant.)

O R D E R

For the reasons provided in the memorandum opinion filed contemporaneously with this order, defendant's motion to dismiss [doc. 4] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge